

REMARKS

Applicants have carefully reviewed the Office Action dated July 28, 2003.

Claims 31 – 36 are pending in the application. Claims 1-30 are cancelled.

Claims 31 – 36 were rejected under 35 U.S.C. 103 (e) as being anticipated by Cano et al., U.S. Patent No. 5,779,716. Cano does not disclose a flexible emboli capturing device mounted on an elongate member where the elongate member extends distally of the capture device.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

JOHN M.K. DANIEL ET AL.

By their Attorney,

Date: Dec. 16, 2003

  
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